

REMARKS

Entry of this Amendment, reconsideration and withdrawal of all grounds of rejection, and allowance of the pending claims are respectfully requested in light of the remarks made herein.

Claims 6-12 are pending and stand rejected. Claims 1-5 has been canceled without prejudice.

Claims 1-5 stand rejected under 35 USC 102(e) as being anticipated by Roberts et al. (U.S. Patent No. 6,792,605).

Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for rejecting the claims.

Claim 1 recites;

1. A meta data category, for use by a Web site to describe information therein, the meta data category comprising:

a task-description language application to specify types of web applications and services that describes the functionality of said Web site as one or more functional identifiers.

Roberts teaches a method and apparatus for providing web based services using an XML runtime model to store state session data. Roberts uses a web services architecture that maintains a directory of services available to provide processing or services. The system uses a web services engine that includes service derivers, the service derivers include information relating to a service, e.g. location, input/output schemas, etc. A web service available is for use when it is "published in a web services directory (see col. 4, lines 34-36). A web services application is then generated from a runtime model and is invoked to satisfy a user request (see col. 3, lines 22-38). Thus, Roberts teaches a system architecture that requires each service, and associated information, to be published in a directory which then can be accessed by a user, rather than a meta data category, for use by *the Web site to describe information therein*, and the meta data category to specify

types of web applications and services that describes the functionality of said Web site as one or more functional identifiers.

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference. Roberts cannot be said to anticipate the present invention, because Roberts fails to disclose each and every element recited. As shown, Roberts fails to disclose "a meta data category, for use by the Web site to describe information therein . . .," as is recited in the claims.

Having shown that Roberts fails to disclose each and every element claimed, applicant submits that the reason for the examiner's rejection of the claim has been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of the claim.

With regard to claims 2-5, these claims depend from independent claim 1, which has been shown to be allowable in view of the cited reference. Accordingly, claims 2-5 are also allowable by virtue of its dependence from an allowable base claim.

Claims 6-12 stand rejected under 35 USC 103(a) as being unpatentable over Eishstaedt et al. (U.S. Patent No. 6,654,735) in view of Roberts

Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for rejecting the claims. A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

With regard to claim 6, this claim recites:

6. A method of enabling a user to retrieve information and applications on a network comprising:

retrieving content from one or more data sources, and
presenting the retrieved content to the user, wherein the retrieved content presented to a user includes information concerning network applications and/or services, said information being retrieved on the basis

of a dedicated and searchable meta data category relating to and provided by the network application and/or service, wherein said meta data category includes a task-description language application to specify types of network applications and services, the meta data category describes the functionality of said network site as one or more functional identifiers.

As admitted by the examiner, Eichstaedt fails to disclose a task-task-description language application to specify types of network applications and services, the meta data category describes the functionality of said network site as one or more functional identifiers. The examiner further refers to the Roberts to show these limitations. Applicant's remarks made in response to the examiner's rejection of claims 1-5 regarding Roberts and the claimed limitations are also applicable in response to the examiner's rejection of claims 6-12.

Thus, neither Eichstaedt nor Roberts, individually or in combination, discloses or suggests all the elements of the present invention. Further, even if the devices of Eichstaedt and Roberts were combined, as suggested by the examiner, the combined device would not disclose all the elements of the invention recited in claim 6 and would not perform the steps disclosed. The combination of Eichstaedt and Roberts would not contain a meta data category, for use by *the Web site to describe information therein*, and the meta data category to specify types of web applications and services that describes the functionality of said Web site as one or more functional identifiers.

Having shown that the combined device resulting from the teachings of the cited references does not include all the elements of the present invention, applicant submits that the reasons for the examiner's rejections of the claims have been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of the claims.

In the matter of obviousness there is a great emphasis placed on "the importance of the motivation to combine." For example, the court in Yamanouchi Pharmaceutical Co. v. Danbury Pharmacal, Inc. 231 F. 3d. 1339, 56 USPQ2d. 1641, 1644 (Fed. Cir. 2000) found that:

an examiner ... may often find every element of a claimed invention in the prior art. If identification of each claimed element of the prior art was sufficient to negate patentability, very few patents would ever issue. Furthermore rejecting patents solely by finding prior art corollaries for the claimed elements would permit an examiner ... to use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention ... To counter this potential weakness in the obviousness construct, the suggestion to combine requirements stands as a critical safeguard against hindsight analysis and rote application of the legal test for obviousness. *id.* quoting *In re Rouffet*, 149 F.3d 1350, 1357-58, 47 USPQ 2d 1453, 1457 (Fed. Cir. 1998)

In this case, applicant believes that with regard to the referred-to claims, the examiner has impermissibly incorporated the teachings of the present invention in the cited reference to reject the claims. Accordingly, applicant submits that the reasons for the examiner's rejections of the claims have been overcome and the rejection can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of the claims.

With regard to claims 7-11, these claims ultimately depend from independent claim 6, which has been shown to be not obvious and allowable in view of the cited references. Accordingly, claims 7-11 are also allowable by virtue of their dependence from an allowable base claim.

With regard to claim 12, the examiner rejected this claim citing the same reference used in rejecting claims 6-11. Thus, applicant's remarks made in response to the examiner's rejection of claims 6-11 are also applicable in response to the examiner's rejection of claim 12. Accordingly, applicant submits that in view of the remarks made with regard to the rejection of claims 6-11, which are repeated herein in response to the rejection of claim 12, the examiner's reasons for rejecting claim 12 has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

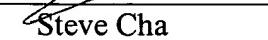
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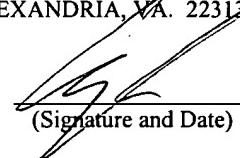
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